

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SH3 HEALTH CONSULTING, LLC, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:20-cv-0605 SRC
)	
ST. LOUIS COUNTY, COUNTY EXECUTIVE))	
DR. SAM PAGE, etc., et al.,)	
)	
Defendants.)	

**CITY DEFENDANTS' RESPONSE TO PLAINTIFF'S SUPPLEMENTAL
MEMORANDUM**

Plaintiff has filed a supplemental memorandum addressing two points. ECF 23. City defendants respond as follows:

1. In these defendants' opinion, the previous orders of Dr. Williams (State Director of Health) did not in terms require closure plaintiff Elder's business. The City defendants' orders supplemented the state orders in light of local conditions, requiring non-essential businesses to cease most activities.

2. Plaintiffs' supplemental authority has limited application to this case. *On Fire Christian Center v. Fischer*, 2020 U.S. Dist. LEXIS 65924 (W.D.Ky. 2020), granted very limited relief to very specific gatherings, i.e., "drive in" religious services, not to business establishments. By contrast, other district courts have refused to grant relief even in regard to religious services. E.g., *Legacy Church, Inc. v. Kunkel*, 2020 U.S. Dist. LEXIS 68415 (D.N.M. 2020); *Cassell v. Snyders*, 2020 U.S. Dist. LEXIS 77512 (N.D.Ill. 2020); see also cases cited by County defendants, ECF 19, pp. 10-11..

Respectfully submitted,
JULIAN L. BUSH

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